

**COMBINED NOTICES OF PUBLIC EXPLANATION OF A PROPOSED ACTIVITY  
WITHIN THE 100-YEAR FLOODPLAIN/WETLAND; FINDING OF NO  
SIGNIFICANT IMPACT  
AND  
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

**June 17, 2009**

**Town of Stonington  
152 Elm Street  
Stonington, CT 06378**

**860-535-5000**

**These notices shall satisfy three separate but related procedural requirements for activities to be undertaken by the Town of Stonington.**

**REQUEST FOR RELEASE OF FUNDS**

**On or about July 7, 2009 the Town of Stonington will submit a request to the HUD Hartford State Office for the release of Economic Development Initiative – Special Projects funds under Title III/Section 300 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Act, 2006 (PL 109-115) of 2005 as amended, to undertake a project known as Town of Stonington Town Dock – South Pier Extension for the purpose of: (1) preparing final design plans for a proposed extension to the existing South Pier (2) construct and implement environmental mitigation required as part of the permitting process; and (3) to construct and improve land based support systems necessary to facilitate the pier expansion (utilities, etc.). The estimated funding for this project is \$521,500. The project location is the Stonington Town Dock, 1 High Street, Stonington, CT and the dam at Vargas Pond, Stonington CT, assessor's map/block/lot number 105/3/14c.**

**NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN THE 100  
YEAR FLOODPLAIN**

**This is to give notice that the Town of Stonington has conducted an evaluation as required by Executive Orders 11988 and 11990 in accordance with HUD regulations at 24 CFR 55.20 to determine the potential affect that its activity in the floodplain will have on the environment. The proposed project is:**

**Construction for the purpose of rehabilitation will be undertaken in the 100-year floodplain. The work will be performed at the Town of Stonington - Town Dock, 1 High Street, Stonington, Connecticut, specifically the South Pier of the Town Dock Complex. Improvements will be made to the South Pier which exists in the floodplain in order to stabilize the structure and mitigate erosion.**

A fishway (aka fish ladder) will be installed at the existing dam on Vargas Pond as a condition of Connecticut Department of Environmental Protection Permit Number 19970015-SG. The Town of Stonington Inland Wetlands and Watercourse Commission issued a permit for installation of the fishway.

The Town of Stonington has determined that it has no practicable alternative other than to approve this action in the floodplain. This activity will have no significant impact on the environment for the following reasons:

Rehabilitation of the Stonington Town Dock – South Pier will be confined to the existing structure. The fishway installation will allow migration into Vargas Pond by saltwater fish that spawn in freshwater and has been endorsed by the Connecticut Department of Environmental Protection.

Written comments must be received by the Town of Stonington at the following address on or before July 6, 2009: Lawrence Sullivan, Town Engineer, 152 Elm Street, Stonington, CT 06378.

#### **FINDING OF NO SIGNIFICANT IMPACT**

The Town of Stonington has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at Stonington Town Hall, 152 Elm Street, Stonington, CT 06378, Department of Public Works and may be examined or copied weekdays 8:30 A.M to 4:00 P.M.

#### **PUBLIC COMMENTS**

Any individual, group, or agency may submit written comments on the ERR to the Lawrence Sullivan, Town Engineer. All comments received by July 6, 2009 will be considered by the Town of Stonington prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

#### **RELEASE OF FUNDS**

The Town of Stonington certifies to the HUD Hartford State Office that Edward Haberek, Jr. in his capacity as First Selectman consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's Hartford State Office approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the Town of Stonington to use Program funds.

#### **OBJECTIONS TO RELEASE OF FUNDS**

The HUD Hartford State Office will accept objections to its release of fund and the *RE's*

**certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the Town of Stonington; (b) the Town of Stonington has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the project have committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by the HUD Hartford State Office; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to HUD Hartford State Office; One Corporate Center 19<sup>th</sup> Floor; Hartford, CT 06103. Potential objectors should contact the Environmental Officer at the HUD Hartford State Office at 860-240-4800 ext. 3072 or by fax at 860-240-4850 to verify the actual last day of the objection period.**

**Edward Haberek, Jr. First Selectman**